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**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

ESVIN FERNANDO ARREDONDO
RODRIGUEZ INDIVIDUALLY AND
A.F.A.J., A MINOR, BY HER GUARDIAN
AD LITEM, JEFFREY HAMILTON,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No.: CV 22-02845-JLS-JC

**DECLARATION OF LINDA
DAKIN-GRIMM IN SUPPORT OF
PLAINTIFFS' AMENDED REPLY
IN SUPPORT OF THEIR
MOTION TO EXCLUDE
TESTIMONY AND REPORT OF
PROPOSED EXPERT BENNETT
WILLIAMSON [DAUBERT]**

Hearing Date: March 29, 2024

Hearing Time: 10:30 a.m.

Judge: Hon. Josephine L. Staton

Courtroom: 8A

1 I, Linda Dakin-Grimm, declare:

2 1. I am an attorney licensed to practice law in the States of California and
3 New York, and the District of Columbia. I am admitted in the United States District
4 Court for the Central District of California. I am a consulting partner at Milbank
5 LLP. I have represented Plaintiffs on a *pro bono* basis since 2018. If called to testify
6 as to the contents of this declaration (the “Declaration”), I could and would testify
7 competently hereto based on my own personal knowledge.

8 2. I respectfully submit this Declaration in support of Plaintiffs’ Amended
9 Reply in Support of Their Motion to Exclude Testimony and Report of Proposed
10 Expert Bennett Williamson (the “Amended Reply”).

11 3. On February 23, 2024, Plaintiffs filed two *Daubert* motions to exclude
12 the testimony and report of Defendant’s proposed experts, Dr. Bennett Williamson
13 (the “Williamson Motion”) and Dr. June Hagen (the “Hagen Motion”). Pursuant to
14 the parties’ agreement, Dkt. 153, Defendant filed its oppositions to both motions on
15 March 12, 2024. Despite having only three days to reply, Plaintiffs timely filed their
16 replies in support of the Williamson Motion and the Hagen Motion on March 15,
17 2024.

18 4. On March 18, 2024, Defendant filed an Objection and Request to Strike
19 (“Objection”), Dkt. 174, without contacting Plaintiffs to request a correction, on the
20 ground that one of Plaintiffs’ replies—the reply in support of the Williamson Motion
21 (the “Williamson Reply”), Dkt. 173, did not comply with the 4,200-word count limit
22 set forth in the Court’s Standing Order.

23 5. Plaintiffs acknowledge that the Williamson Reply exceeded the
24 allowable word limit and regret the oversight.

25 6. Upon learning of the error through Defendant’s Objection filed earlier
26 today, Plaintiffs prepared and filed the Amended Reply, which is fully compliant
27 with the Court’s Standing Order. Plaintiffs thus remedied their mistake within hours,

1 mitigating any prejudice to Defendant (particularly where no responsive briefing is
2 indicated).¹

3
4 I declare under penalty of perjury under the laws of the United States of America
5 that the foregoing is true and correct. Executed this 18th day of March, 2024 in Los
6 Angeles, California.

7
8 Respectfully submitted,

9 By: /s/ Linda Dakin-Grimm

10 Linda Dakin-Grimm

11 *Pro bono* Attorney for Plaintiffs
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23 _____
24 ¹ Defendant is incorrect in its assertion that Plaintiffs have “repeatedly failed to
25 comply with the Court’s rules.” Plaintiffs have at all times litigated this case with
26 diligence and respect for applicable rules. Should the Court require a specific
27 response to Defendant’s insinuations to the contrary, Plaintiffs would be pleased to
28 provide one in writing or at argument; but for these purposes, Plaintiffs acknowledge
their error and have acted swiftly to remedy it.